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BEFORE THE ARIZONA CORPORATION

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Arizona Corporation Commission

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JUN 27 2012

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COMMISSIONERS

GARY PIERCE - Chairman  
BOB STUMP  
SANDRA D. KENNEDY  
PAUL NEWMAN  
BRENDA BURNS

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AZ CORP COMMISSION  
DOCKET CONTROL

IN THE MATTER OF THE APPLICATION OF  
STERLING PAYPHONES, LLC FOR A  
CERTIFICATE OF CONVENIENCE AND  
NECESSITY TO PROVIDE CUSTOMER-OWNED  
PAY TELEPHONE SERVICE IN ARIZONA.

DOCKET NO. T-20558A-07-0611

PROCEDURAL ORDER

**BY THE COMMISSION:**

On October 19, 2007, James Rapaccioli d/b/a Sterling Payphones, LLC, ("Applicant" or "Sterling") filed an application with the Arizona Corporation Commission ("Commission") for a Certificate of Convenience and Necessity ("CC&N") to provide customer-owned pay telephone service in Arizona ("Application").

On December 12, 2007, the Commission's Utilities Division Staff ("Staff") filed a Letter of Insufficiency and First Set of Data Requests, and on April 18, 2008, Sterling filed its responses to Staff's data requests.

On April 2, 2012, a Procedural Order was issued directing Staff to file a status update on the matter.

On June 7, 2012, Staff filed a Memorandum noting that Staff had attempted numerous times in 2011 and 2012 to contact the Applicant by telephone and in writing regarding the Application, but Staff's attempts were unsuccessful.

According to the Memorandum, on May 8, 2012, Staff sent a letter advising Sterling that, if the Applicant was providing telecommunications services in Arizona without Commission authority, the Commission may order local exchange carriers to immediately terminate public access line service pursuant to Arizona Administrative Code ("A.A.C.") R14-2-908(A)(1)(a). Staff's letter requested that the Applicant respond to the letter no later than May 31, 2012. Staff noted that the

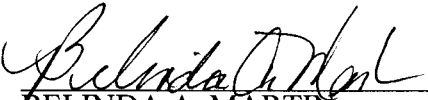
1 only response received was a comment written on the letter stating, "Out of business for 3 years no  
2 phones in Arizona."

3 Accordingly, Staff recommended that the docket should be administratively closed.

4 Staff's recommendation is reasonable and this docket should be administratively closed.

5 IT IS THEREFORE ORDERED that Docket No. T-20558A-07-0611, In the Matter of the  
6 Application of Sterling Payphones, LLC for a Certificate of Convenience and Necessity to Provide  
7 Customer-Owned Pay Telephone Service in Arizona is hereby administratively closed.

8 DATED this 25<sup>th</sup> day of June, 2012.


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10  
11   
12 BELINDA A. MARTIN  
13 ADMINISTRATIVE LAW JUDGE

14 Copies of the foregoing mailed  
15 this 25<sup>th</sup> day of June, 2012, to:

16 STERLING PAYPHONES, LLC.  
17 c/o James Rapaccioli  
18 P. O. Box 185  
19 Bronx, NY 10461

20 Janice Alward, Chief Counsel  
21 Legal Division  
22 ARIZONA CORPORATION COMMISSION  
23 1200 West Washington Street  
24 Phoenix, AZ 85007

25 Steven M. Olea, Director  
26 Utilities Division  
27 ARIZONA CORPORATION COMMISSION  
28 1200 West Washington Street  
Phoenix, AZ 85007

By:   
Belinda A. Martin